

BEFORE THE DEPARTMENT OF
NATURAL RESOURCES AND CONSERVATION
OF THE STATE OF MONTANA

* * * * *

IN THE MATTER OF THE APPLICATION)	
FOR CHANGE OF APPROPRIATION WATER)	ORDER
RIGHT NO. G(W)34249-76N BY FRANK)	
H. SAPPINGFIELD)	

* * * * *

All parties having agreed to the issuance of an Authorization to Change Appropriation Water Right for the above-entitled Application, subject to certain conditions, it is hereby

ORDERED, that an Authorization to Change Appropriation Water Right be issued subject to the following terms, conditions, and limitations:

A. The storage tank overflow must be piped back to the channel from which it was withdrawn. The point of return must be as high up the channel as a gravity return system will allow.

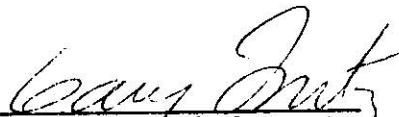
B. The concrete storage tank overflow must be internally inspected for leaks, and sealed to prevent leakage.


C. If at any time after this Authorization is issued the Department of Natural Resources and Conservation receives a written complaint alleging that Appropriator's diversion is resulting in adverse impacts to another existing water right on the source which is used for domestic or irrigation purposes, the Department will make a field investigation of the project. The Department may at that time require that the Appropriator install an adequate flow metering device to measure the rate of source flow and/or the amount and rate of water diverted, and further may require the Appropriator to keep written records of such

CASE # 34249

measurements, which records shall be submitted to the Department upon request.

Dated this 12 day of September, 1990.


Gary Fritz, Administrator
Department of Natural
Resources and Conservation
Water Resources Division
1520 East 6th Avenue
Helena, Montana 59620-2301
(406) 444-6605


Vivian Lighthizer, Hearing Examiner
Department of Natural Resources
and Conservation
1520 East 6th Avenue
Helena, Montana 59620-2301
(406) 444-6625

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Order was duly served upon all parties of record, at their address or addresses this 12th day of September, 1990, as follows:

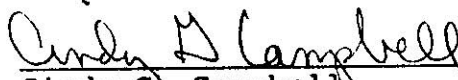
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Cindy G. Campbell
Hearings Unit Secretary